

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Tyrone Jerome Mazyck,)
Plaintiff,) C/A No. 9:18-2689-TMC
v.)
Andrew Saul, Commissioner)
of Social Security Administration,)
Defendant.)

ORDER

Plaintiff Tyrone Jerome Mazyck brought this action under 42 U.S.C. § 405(g), seeking judicial review of a partially unfavorable final decision of the Commissioner of Social Security (“Commissioner”). (ECF No. 1).¹ This matter is before the court for review of the Report and Recommendation (“Report”) of the United States Magistrate Judge, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(a), D.S.C. (ECF No. 17). The Report recommends that the Commissioner’s decision be affirmed. *Id.* On September 16, 2019, Plaintiff filed a notice of his intent not to file objections to the Report. (ECF No. 18).

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to

¹On June 17, 2019, Andrew M. Saul became the Commissioner of Social Security. Pursuant to Fed. R. Civ. P. 25(d), he is automatically substituted for Defendant Nancy A. Berryhill who was the Acting Commissioner of Social Security when this action was filed.

accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough and careful review of the record, the court adopts the Report of the Magistrate Judge (ECF No. 17), which is incorporated herein by reference. Accordingly, the Commissioner’s final decision is **AFFIRMED**.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

September 19, 2019
Anderson, South Carolina